

REMARKS/ARGUMENTS

This Amendment is to support the Office Action mailed March 21, 2005. In the Office Action, claims 1-14 and 21-23 were rejected under 35 U.S.C. §103. Reconsideration in light of the amendments and remarks made herein is respectfully requested. Claims 1, 12 and 14 have been revised, claim 3 has been cancelled without prejudice, and new claim 24 has been added.

Rejection Under 35 U.S.C. § 112

Claims 14 and 21-23 were rejected under 35 U.S.C. §112, first paragraph. It is alleged that the amended claim subject matter (“field”) is not supported by the original specification. Applicants respectfully disagree and traverse the rejection because the subject matter clearly identifies groupings of information, and a “field” is normally known as one type of grouping, namely an “area in a fixed or known location in a unit of data” such as a message for example.

In order to facilitate prosecution of the subject application, the term “field” has been removed. Applicants respectfully request the Examiner to withdraw the outstanding §112 rejection.

Rejection Under 35 U.S.C. §103

Claims 1-14 and 21-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Turner (US Patent No. 6,084,956), in view of Boese (US Patent No. 5,084,816). Applicants respectfully traverse the rejection and respectfully request that the Examiner reconsider the rejection because, based on the claim amendments and arguments presented below, a *prima facie* case of obviousness cannot be maintained.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

all the claim limitations. *See MPEP §2143*. Herein, at a minimum, the combined teachings of Turner and Boese fail to teach or suggest all of the claimed limitations.

For instance, with respect to claims 1, 12 and 14, neither Turner nor Boese, alone or in combination, suggests a gateway adapted to support signaling from a plurality of access servers. Herein, the interworking function (54) is construed as being equivalent to a gateway. Although Applicants respectfully disagree with this claim interpretation and request reconsideration of the same, there is no teaching or suggestion that interworking function (54) is capable of handling communications with multiple access servers in lieu of a single access server (e.g., NAS 59) via path 55. Hence, Applicants respectfully submit that this limitation renders the claimed invention patentable.

Furthermore, with respect to claim 1 and 14, neither Turner nor Boese, alone or in combination, suggests a gateway that transmits status message to specify *capabilities of the access server*. *Emphasis added*. As further set forth in claim 14, the status message may also indicate whether the access server is operational. As stated in the Office Action, Turner (Figure 6) illustrates control and response messages, but these messages do not constitute status messages as claimed. *See Page 4 of the Office Action*. While LSSU (link status signal unit) messages described in Boese are “status” messages in name, they are not used to convey capabilities of the access server. Rather, they are merely used to provide notification of the status of a link and perhaps to withhold acknowledgement of received MSUs. *See column 15, lines 57-65 of Boese*.

As a result, Applicants respectfully request that the Examiner withdraw the outstanding §103 rejection as applied to independent claims 1, 12 and 14 as well as those claims depending thereon.

As previously stated, neither Turner nor Boese, alone or in combination, suggest transmission of a continuity check message from the gateway to an access server, and in particular, sending a *continuity check result message* from the access server to the gateway, where the continuity check result message *reports a result of a continuity check for a channel supported by the access server*. *Emphasis added*. Such limitations are explicitly set forth in

claim 12. The presence of this limitation was not discussed in the Office Action. Consideration of this limitation is respectfully requested.

In light of the foregoing, Applicants respectfully request that the Examiner withdraw the outstanding §103 rejection.

Conclusion

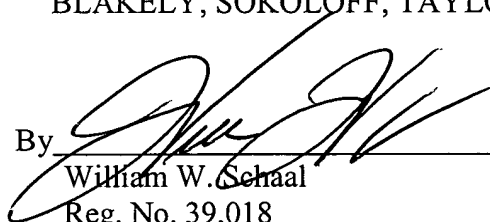
Applicants respectfully request that a timely Notice of Allowance be issued in this case. In order to further facilitate prosecution of the subject application, Applicants respectfully request the Examiner to contact the undersigned attorney at the phone number listed below to coordinate an Examiner's interview to discuss the allowability of the pending claims if such discussion is warranted. The undersigned attorney can be reached at the phone number listed below.

Respectfully submitted,

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Dated: June 22, 2005

By



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